

## **DETAILED ACTION**

### ***Terminal Disclaimer***

1. The terminal disclaimer also filed on 6-21-07 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of the US patent indicated has been reviewed and is accepted. The terminal disclaimer has been recorded.

### ***Response to Board Decision***

2. The period under 37 CFR 1.304 for seeking court review of the decision by the Board of Patent Appeals and Interferences rendered 3-31-08 has expired and no further action has been taken by appellant. The proceedings as to the rejected claims 1, 3-18 are considered terminated; see 37 CFR 1.197(b).

3. Rejected claims 2 and 19-20 were reversed regarding the decision of the Board of Patent Appeals and Interferences rendered 3-31-08. These claims are subject to re-opened prosecution on the merits.

### EXAMINER'S AMENDMENT

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Parmelee on 5-13-08.

The application has been amended as follows:

1. (canceled)

2. (currently amended) ~~The method according to claim 1 further comprising:~~

A method comprising:

- a) receiving with an automated banking machine at least one first wireless communication signal from a portable wireless device;
- b) sending through operation of the automated banking machine at least one first network communication signal corresponding to the at least one first wireless communication signal, to at least one server in operative connection with the automated banking machine through a wide area network;

- c) receiving through operation of the automated banking machine at least one second network communication signal from the at least one server;
- d) sending through operation of the automated banking machine at least one second wireless communication signal to the portable wireless device corresponding to the at least one second network communication signal;
- e) receiving through operation of the automated banking machine at least one third wireless communication signal from the portable wireless device, wherein the at least one third wireless communication signal includes data representative of a financial account;
- f) validating through operation of the automated banking machine that the account is authorized to accept a charge of a usage fee; and
- g) charging the usage fee to the account responsive to operation of the machine.

Art Unit: 1792

3. (currently amended) The method according to claim 4 2 and further comprising:  
dispensing cash from the automated banking machine.

4. (currently amended) The method according to claim 4 2 wherein the portable wireless device comprises a voice communication device.

5. (currently amended) The method according to claim 4 wherein the portable wireless device includes at least one memory including data representative of cash value, and further comprising modifying the data representative of cash value responsive to operation of the automated banking machine.

6-18. (canceled)

19. (currently amended) ~~The method according to claim 18, further comprising:~~

A method comprising:

- a) providing, with an automated banking machine, a wireless network connection between a portable wireless device and the automated banking machine, wherein the automated banking machine includes a cash dispenser;
- b) providing, with the automated banking machine, a network

connection between the automated banking machine and a public wide area network;

- c) determining with the automated banking machine that the portable wireless device is permitted to access the public wide area network;
- d) responsive to (c), providing with the automated banking machine, the portable wireless device with access to the public wide area network through the wireless network connection with the automated banking machine;
- e) receiving, with the automated banking machine, information corresponding to an account through the wireless network connection from the portable wireless device; and
- f) causing, with the automated banking machine, a fee to be associated with the account for providing the portable wireless device with access to the public wide area network in (d).

20. (previously presented) The method according to claim 19, wherein in (d) the public wide area network includes the Internet.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Allowable Subject Matter***

5. Claims 2-5 and 19-20 are allowed.

**REASONS FOR ALLOWANCE**

6. The following is an examiner's statement of reasons for allowance:

The present invention includes independent claims 2 and 19, both of which claim a method.

Joao is considered the closest prior art. Joao et al discloses a method and apparatus comprising: receiving with an automated banking machine at least one first wireless communications signal from a portable wireless device which may be a voice communications device. There is disclosed sending and receiving first and second network communications to and from a server all through operation of the banking machine.

Joao does not disclose the claimed combination including:

In claim 2:

- e) receiving through operation of the automated banking machine at least one third wireless communication signal from the portable wireless device, wherein the at least one third wireless communication signal includes data representative of a financial account;
- f) validating through operation of the automated banking machine that the account is authorized to accept a charge of a usage fee; and
- g) charging the usage fee to the account responsive to operation of the machine.

In claim 19:

- e) receiving, with the automated banking machine, information corresponding to an account through the wireless network connection from the portable wireless device; and
- f) causing, with the automated banking machine, a fee to be associated with the account for providing the portable wireless

device with access to a public wide area network.

For these reasons claims 2 and 19 are deemed to be allowable over the prior art of record, and claims 3-5 and 20 are allowable by dependency.

### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alain L. Bashore whose telephone number is 571-272-6739. The examiner can normally be reached on about 7:30 am to 5:00 pm (Mon. thru Thurs.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks can be reached on 571-272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Art Unit: 1792

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alain L. Bashore/  
Primary Examiner, Art Unit 1792